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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY LITIGATION,

MDL No. 3047

Case No. 4:22-md-03047-YGR (PHK)

This Document Relates To:
ALL ACTIONS

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
INTERCIRCUIT ASSIGNMENT OF
BELLWETHER DISCOVERY CASES
ASSERTING *LEXECON* OBJECTIONS**

As set forth in the Parties' Joint Status Report in advance of the January 17, 2025 Case Management Conference (Dkt. 1515 at 4), the Parties, through their undersigned counsel, hereby stipulate to the following to facilitate the intercircuit assignment of two bellwether cases where *Lexecon* objections have been asserted:

Plaintiffs Dymand McNeal (No. 4:23-cv-01092) and DeKalb County School District (No. 4:23-cv-05733), having originally filed their cases directly into this MDL, will now re-file their cases in

1 Eastern District of Pennsylvania and the Northern District of Georgia, respectively, by February
2 10, 2025.

3 Following the opening of those cases, Defendants will tag both cases for transfer to this MDL.
4 Plaintiffs will not oppose the transfer of these actions.

5 Upon final transfer of each action to this MDL, Plaintiffs will promptly dismiss without
6 prejudice their original, directly filed cases, as replaced by the two newly transferred actions. The
7 newly-transferred actions shall in all respects replace the original, directly-filed actions, including
8 for purposes of determining, *e.g.*, applicable rulings and case deadlines (including deadlines
9 applicable specifically to bellwether cases); and all discovery served and responded to in Plaintiffs'
10 original, directly-filed cases shall be treated as served and responded to in Plaintiffs' re-filed cases.
11 For statute of limitation purposes, the date of filing will refer back to the original, directly-filed
12 actions.
13

14 The Parties will advise the Court in writing once the aforementioned steps are complete and
15 provide the case numbers associated with the replacement actions for inclusion in this Court's
16 application for intercourt assignment.
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18 **IT IS SO ORDERED,**

19 Dated: _____

20 **YVONNE GONZALEZ ROGERS**
21 **UNITED STATES DISTRICT JUDGE**

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23 **IT IS SO STIPULATED AND AGREED.**
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1 Dated: January 31, 2025

Respectfully submitted,

2 **KING & SPALDING LLP**

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ATTESTATION

I, Geoffrey M. Drake, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to the filing of this document has been obtained from each signatory hereto.

Dated: January 31, 2025

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